IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY THIRD DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE N.V. RAMANA**

**WRIT PETITION NO : 19618 of 2004**

Between:

Mohammed Abdul Subhan, S/o. Mohammed Abdul Sattar,
R/o. H.No.6-3-1177/A/48/3, Hussainnagar Colony, Begumpet,
Hyderabad-500016.

**..... PETITIONER**

AND

The Regional Passport Office, Near Clock Tower, Secunderabad,
rep. by the Passport Officer.

**.....RESPONDENT**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the inaction of the respondent to receive the application to consider for issuance of fresh passport with correct date of birth of the petitioner, as illegal, arbitrary and violative of Article 14 of the Constitution of India, and consequently direct the respondent to receive the petitioner's application and consider for issuance of fresh passport with correct date of birth of the petitioner as 19.06.1962 as per the School Transfer Certificate.

**For the Petitioner: MR.T.DAMODAR, Advocate.**

**For the Respondent: MR.A.RAJASEKHARA REDDY (SC FOR CG)**

**The Court at the stage of admission made the following :**

**ORDER:**

Heard the learned counsel for the petitioner.

The grievance of the petitioner is that when he made an application requesting the respondent to correct his date of birth as per his original Transfer Certificate issued by the School authorities, as 19-06-1962 instead of 03-06-1959 which was wrongly recorded in his passport bearing No. P 997725, dated 23-06-1993, the respondent refused to entertain the application. Hence, he filed the present writ petition seeking a direction to the respondent to receive and consider his application for correction of date of birth in the passport.

Inasmuch as the petitioner has not produced any material before this Court to show that the respondent refused to entertain his application for correction of date of birth in his passport, it cannot be said that the petitioner made any such request and such request was rejected by the respondent.

Hence, the writ petition is dismissed at the stage of admission. No costs. However, it is open for the petitioner to file an application for correction of date of birth in his passport before the respondent-Passport Officer with all relevant material in support thereof, and on such filing, the respondent shall consider it in accordance with law.

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**N.V. RAMANA, J**

**Date: 23-11-2004**

Svv

To

1. The Passport Officer, Regional Passport Office, Near Clock Tower, Secunderabad.

2. Two CD copies.